

REMARKS

In response to the Final Office Action mailed September 19, 2005, the Applicant respectfully requests reconsideration.

Claims 1-20 were previously examined. By this Amendment, Applicant amends claims 2, 3, 9 and 10 solely for clarification. As a result, claims 1-20 are pending for examination, of which claims 1, 8 and 14 are independent.

1. The Objections to Claims 3 and 10 are Overcome

Claims 3 and 10 stand objected-to for reciting the phrase “host to performs.” In response to this objection, Applicant has amended claims 3 and 10 as shown above by replacing “performs” in the above phrase with –perform--, as suggested in the Office Action. Accordingly, Applicant requests that the objections to claims 3 and 10 be withdrawn.

Claims 2 and 9 also have been amended for clarification by making the same change.

2. Claims 1-7 Patentably Distinguish Over Desai in View of Forslow

Claims 1-7 stand rejected under 35 U.S.C. §103(a) as purportedly being unpatentable over U.S. Patent No. 6,820,204 (Desai) in view of U.S. Patent No. 6,608,832 (Forslow). Applicant respectfully traverses this rejection.

As an initial matter, Applicant respectfully notes that it is difficult to understand the basis of the §103(a) rejections of claim 1. Specifically, in Section 4, on page 2, the Office Action lists each of the limitations of claim 1, and each limitation or combination of two limitations is followed by a cited passage from Desai. However, it is not clear to Applicant how each cited passage of Desai applies to the limitation that it follows. For example, the fourth full paragraph on claim 3 reads as follows:

“obtaining, by the session establishment service, a notice through operation of the session establishment protocol that the mobile host has moved to a new address
reestablishing, by the session establishment service, a session with the mobile host for the mobile host (providing user’s access to profile information such as its travel schedule, see col. 9 line 32 to col. 10 line 32);”

It is not clear to Applicant why the Office Action believes that Desai's description of providing users access to profile information such as a travel schedule teaches "obtaining, by the session establishment service, a notice through operation of the session establishment protocol that the mobile host has moved to a new address" as recited in claim 1, nor "reestablishing, by the session establishment service, a session with the mobile host for the new address of the mobile host." Consequently, it is difficult to understand the basis of the full rejection, which leaves the Applicant guessing. M.P.E.P. §706 ("[T]he goal of examination is to clearly articulate any rejection early in the prosecution process so that the applicant has the opportunity to provide evidence of patentability and otherwise reply completely at the earliest opportunity.")

Nonetheless, in order to further prosecution, Applicant has made a good faith effort to understand and respond to the rejection of claim 1. If, however, the Examiner has an understanding of Desai that differs from Applicant's and the Examiner continues to believe that the claims are unpatentable over Desai in view of Forslow, the Examiner is requested to issue a new, non-final Office Action that clarifies how the teachings of Desai apply to the limitations of claim 1.

The combination of Desai and Forslow is improper because, at the time of the invention, one of skill in the art would not have been motivated to combine Desai and Forslow as suggested in the Office Action. Further, even if the combination were proper, which it is not, claim 1 patentably distinguishes over the combination.

Desai is directed to a system and method for providing users with granular control over arbitrary information that allows for selective, real-time information that allows for selective, real-time information sharing in a communications network such as the Internet. (Col. 1, lines 14-19).

In contrast, claim 1 recites:

"A computer-readable medium having computer-executable instructions for performing steps for a correspondent host to provide mobility support for communications with a mobile host, the steps comprising:

receiving, by a mobility service of the correspondent host, a request from a first application on the correspondent host to set up a communication connection with a second application on the mobile host, the mobility service being implemented in an application programming interface (API) layer of an operating system of the correspondent host;

calling, by the mobility service, a session establishment service of the correspondent host implementing a session establishment protocol to establish a session with the mobile host;

establishing, by the session establishment service, a session with the mobile host;

setting up, by the mobility service, a communication connection under a transport protocol for communications between the first and second applications;

obtaining, by the session establishment service, a notice through operation of the session establishment protocol that the mobile host has moved to a new address;

reestablishing, by the session establishment service, a session with the mobile host for the new address of the mobile host; and

resetting, by the mobility service, a communication connection for the new address of the mobile host.”

Desai does not teach or suggest the computer-readable medium having computer-executable instructions for performing steps for a correspondent host to provide mobility support for communications with a mobile host, recited in claim 1. In particular, Desai does not teach or suggest the step of “obtaining, by the session establishment service, a notice through operation of the session establishment protocol that the mobile host has moved to a new address” required by claim 1. The Office Action asserts (page 2, 4th full paragraph) that this teaching is found in Desai on col. 9, line 32-col. 10, line 32. However, this cited passage merely describes accessing user profile information on a network. Not only does the cited passage not teach the step of obtaining, but it does not even teach a mobile host moving to a new address, nor obtaining a notice of such a move--through operation of a session establishment protocol or otherwise. Nor does the passage teach a session establishment service. Forslow fails to remedy these deficiencies of Desai. Accordingly, even if these two references were combined, the resulting combination would not employ the step of obtaining recited in claim 1.

In view of the foregoing, claim 1 patentably distinguishes over the combination of Desai in view of Forslow. Accordingly, Applicant respectfully requests that the rejection of claim 1 under §103(a) be withdrawn. Claims 2-7 patentably distinguish over Forslow for at least the same reasons. Accordingly, Applicants respectfully suggest that the rejections of these claims be withdrawn.

3. Claims 8-13 Patentably Distinguish Over Desai in View of Forslow

Claims 8-13 stand rejected under 35 U.S.C. §103(a) as purportedly being unpatentable over Desai in view of Forslow. Applicant respectfully traverses this rejection.

As an initial matter, Applicant respectfully notes that it is difficult to understand the basis of the §103(a) rejections of claim 8 for reasons similar to those set forth above in Section 2 with respect to claim 1. Consequently, it is difficult to understand the basis of the full rejection, which leaves the Applicant guessing. Nonetheless, in order to further prosecution, Applicant has made a good faith effort to understand and respond to the rejection of claim 8. If, however, the Examiner has an understanding of Desai that differs from Applicant's and the Examiner continues to believe that the claims are unpatentable over Desai in view of Forslow, the Examiner is requested to issue a new, non-final Office Action that clarifies how the teachings of Desai apply to the limitations of the claim 8.

The combination of Desai and Forslow is improper because, at the time of the invention, one of skill in the art would not have been motivated to combine Desai and Forslow as suggested in the Office Action. Further, even if the combination were proper, which it is not, claim 8 patentably distinguishes over the combination.

Claim 8 recites:

"A computer-readable medium having computer-executable instructions for performing steps for a correspondent host to provide mobility support for communications between a first application on the correspondent host with a second application on a mobile host over an existing session and an existing communication connection, the steps comprising:

receiving, by a session establishment service of the correspondent host implementing a session establishment protocol, a notice through operation of the session establishment protocol that the mobile host has moved to a new address;

reestablishing, by the session establishment service, a session with the mobile host for the new address of the mobile host; and

resetting, by a mobility service, a communication connection for the new address of the mobile host for communications between the first and second applications, the mobility service being implemented in an application programming interface (API) layer of an operating system of the correspondent host."

Desai does not teach or suggest the computer-readable medium having computer-executable instructions for performing steps for a correspondent host to provide mobility support for

communications between a first application on the correspondent host with a second application on a mobile host over an existing session and an existing communication connection, recited in claim 8. In particular, Desai does not teach or suggest the step of “receiving, by a session establishment service of the correspondent host implementing a session establishment protocol, a notice through operation of the session establishment protocol that the mobile host has moved to a new address” required by claim 8. The Office Action asserts (page 5, last paragraph – page 6, first paragraph) that this teaching is found in Desai on col. 9, line 32-col. 10, line 32. However, as noted above, this cited passage merely describes accessing user profile information on a network. Forslow fails to remedy this deficiency of Desai. Accordingly, even if these two references were combined, the resulting combination would not employ the step of receiving recited in claim 8.

In view of the foregoing, claim 8 patentably distinguishes over the combination of Desai in view of Forslow. Accordingly, Applicant respectfully requests that the rejection of claim 8 under §103(a) be withdrawn. Claims 9-13 patentably distinguish over Forslow for at least the same reasons. Accordingly, Applicants respectfully suggest that the rejections of these claims be withdrawn.

4. Claims 14-20 Patentably Distinguish Over Desai in View of Forslow

Claim 14-20 stand rejected under 35 U.S.C. §103(a) as purportedly being unpatentable over Desai in view of Forslow. Applicant respectfully traverses this rejection.

As an initial matter, Applicant respectfully notes that it is difficult to understand the basis of the §103(a) rejections of claim 14 for reasons similar to those set forth above in Section 2 with respect to claim 1. Consequently, it is difficult to understand the basis of the full rejection, which leaves the Applicant guessing. Nonetheless, in order to further prosecution, Applicant has made a good faith effort to understand and respond to the rejection of claim 14. If, however, the Examiner has an understanding of Desai that differs from Applicant's and the Examiner continues to believe that the claims are unpatentable over Desai in view of Forslow, the Examiner is requested to issue a new, non-final Office Action that clarifies how the teachings of Desai apply to the limitations of the claim 8.

The combination of Desai and Forslow is improper because, at the time of the invention, one of skill in the art would not have been motivated to combine Desai and Forslow as suggested in the

Office Action. Further, even if the combination were proper, which it is not, claim 14 patentably distinguishes over the combination.

Claim 14 recites:

“A method for a correspondent host to provide mobility support for communications with a mobile host, comprising the steps of:

receiving, by a mobility service of the correspondent host, a request from a first application on the correspondent host to set up a communication connection with a second application on the mobile host, the mobility service being implemented in an application programming interface (API) layer of an operating system of the correspondent host;

calling, by the mobility service, a session establishment service of the correspondent host implementing a session establishment protocol to establish a session with the mobile host;

establishing, by the session establishment service, a session with the mobile host;

setting up, by the mobility service, a communication connection under a transport protocol for communications between the first and second applications;

obtaining, by the session establishment service, a notice through operation of the session establishment protocol that the mobile host has moved to a new address;

reestablishing, by the session establishment service, a session with the mobile host for the new address of the mobile host; and

resetting, by the mobility service, a communication connection for the new address of the mobile host”

Desai does not teach or suggest the computer-readable medium having computer-executable instructions for performing steps for a correspondent host to provide mobility support for communications between a first application on the correspondent host with a second application on a mobile host over an existing session and an existing communication connection, recited in claim 14. In particular, Desai does not teach or suggest the step of “obtaining, by the session establishment service, a notice through operation of the session establishment protocol that the mobile host has moved to a new address” required by claim 14. The Office Action asserts (page 6, last paragraph; page 2, 4th full paragraph) that this teaching is found in Desai on col. 9, line 32-col. 10, line 32. However, as noted above, this cited passage merely describes accessing user profile information on a network. Forslow fails to remedy this deficiency of Desai. Accordingly, even if

these two references were combined, the resulting combination would not employ the step of obtaining recited in claim 14.

In view of the foregoing, claim 14 patentably distinguishes over the combination of Desai in view of Forslow. Accordingly, Applicant respectfully requests that the rejection of claim 14 under §103(a) be withdrawn. Claims 15-20 patentably distinguish over Forslow for at least the same reasons. Accordingly, Applicants respectfully suggest that the rejections of these claims be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,

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